

TOWN OF WHITEHALL
P.O. BOX 529
WHITEHALL, MT 59759
June 15th, 2023 (Posted)

The Whitehall Town Council met on **Tuesday, June 20th, 2023, at 7:00 PM.** The meeting was held in the Town Hall Council Chambers at 207 East Legion Ave.

The minutes are as follows:

I. Call to Order

Roy McBride:

II. Introductions

Linda Jung: Linda Jung, Ward 2.

Shawn Hoagland: Shawn, Ward 3.

Patricia Peterson: Pat Peterson, Ward 1.

Bill Lanes: Bill Lanes, Ward 1.

Katy James: Katy James, Ward 2.

Kennedy Kleinsasser: Kennedy Kleinsasser, Clerk Treasurer.

Roy McBride: Roy McBride, Ward 3, Council President.

Ed Guza: Ed Guza, Town Attorney.

III. Pledge of Allegiance

Pledge recited

IV. Agenda Approval

Roy McBride: Approval of the agenda

Pat Peterson: I move, this is Pat

Shawn Hoagland: Shawn, second

Roy McBride: All in favor?

Group: Aye

V. Approval of Minutes

Roy McBride: Approval of the minutes for May 15th.

Linda Jung: so, moved

Pat Peterson: I second, Pat

Roy McBride: Okay, move to second it. All in favor?

Group: Aye

VI. Reports

A. Mayor's Report and Public Service Announcements

Roy McBride: Okay. Reports, I don't think the mayor has anything. I don't have anything. We're going to get rolling. Officers report, attorney?

B. Officer's Reports

a. Attorney

Ed Guza: My issues are all on the agenda, so I'll just address those when they come up. Thanks. Sure.

b. Clerk / Treasure

Roy McBride: Clerk Treasurer?

Kennedy Kleinsasser: All righty. First, I would like to announce that we're officially live for E-Statements. We got it all squared away. You guys passed that a little while ago. The new portal's going to be super exciting. People can sign up for E-Statements and auto pay, and they can also check out their balance and do separate payments and stuff on there. So that stuff is on our website for anybody that wants to look at that. Jen and I did training, on that last week. It was like a three - hour training, but we got her done. I've been working with Todd on bank recs, and he's been training me on some other things. So hopefully, he doesn't have to keep coming here. I've also been working with the rec board on the Ranch Rodeo. They have decided to put on over Frontier Days. We've been contacting businesses and individuals for sponsorships and donations. We have \$7,600 committed so far, and we are going to close sponsors on July 1st, so we can make banners for those sponsors. We are still looking for sponsors. We have quite a few bleacher, sponsors available and then, arena sponsors. And then, all of the proceeds are going to go back into the complex for either future events or the rec project that we have going. I've been doing end of year reporting and putting next year's budget together. We'll have to schedule another budget workshop here in the next few weeks, so we can go over all those numbers. And then, hopefully, by the next council meeting, we can have a budget hearing and get that passed. And then, next week, I have quarterly reporting, and we'll send out DEQ notices to the residents. And then, I also would like to announce that the office is going to be closed July 3rd and 4th for Independence Day and will be back open on Wednesday the 5th. And that's everything.

Roy McBride: Thank you. Public Works?

Linda Jung: First of all, one question. July 3rd and July 4th, what days of the week are those?

Kennedy Kleinsasser: That's a Monday and Tuesday. So it'll be a four day weekend.

Linda Jung: And do you have your tape recorder on or Liz's?

Kennedy Kleinsasser: Yes.

Linda Jung: Good. Thank you. All right.

c. Public Works

Kory Klapan: Okay, I'll start with water. We took bacteria samples 6/6/23. They're good. July, we have quite a few more water samples. We got our lead and the copper. That's an, every three - year sample. Nitrates, which is every year. And our quarterly samples due in July. The manor annexation, the startup meeting, is Monday the 26th at 10:30 here at town hall. Anybody wants to know anything that's going on there can surely show up to that. I will get ahold of all the property owners that that'll affect and give them a chance to be here. Sewer, our sewer intake levels are extremely high with all this rain, double what we usually take in. I've checked all the creeks, no flooding. Talked with Shawn. None of those manholes are underwater, so I believe it's just I and I from saturated soils. Our lagoon levels are still quite high. We haven't been able to discharge a whole bunch, which is a little concerning if it keeps raining. I don't know what I'm going to do. Yeah, we've only discharged about an eighth of what I need to discharge, so I still have a long, ways to go there. Streets, we're grading all the alleys right now. We'll do the parking lots. Anything that needs to be graded in town, I'm going to try and grade. Division Street Boulevards, heading to the school, I'm going to try and get all those cars to move. We're going to try and grade them out, because they're pretty pot -holey. If anybody knows of anywhere else in the next few days, let us know. We did get oil for the DuraPatcher the 9th like I said we were going to. It has been too wet to use it. As soon as it dries up, we have everything hooked up. The truck's ready to go. We can hop on it right as soon as them holes dry up, but they got to be somewhat dry to patch them. I think we fixed the drainage issue down at the Forest Service. The water was coming down the hill running across the road and kind of flooding out the Forest Service building down there by Stageline Pizza. Was running right in their garage door. We put a berm up on the south side of the road and then, we dug a that ditch on the north side of the road. So hopefully, the water will stay on the north side of the road down around the corner. It seems to be working so far. Cemetery, we had two burials. Just to let everybody know, the grass seed, so any burials we had last winter, we planted grass seed on them the spring, none of that grass took. None of the seed took off. I think it's honestly too wet still, but all them graves are dry bare dirt, and we will re-seed them. So just let it dry up a little bit, and we'll get them reseeded. We had, I think, a record amount of

locates this month. I think it was 56 locates for the town of Whitehall, and I think I was called out three times. So, any questions?

Linda Jung: Yeah, one question. I didn't catch the date on that annexation meeting.

Kory Klapan: It's next Monday, the 26th at 10:30, here at town hall.

Linda Jung: Thanks.

Kory Klapan: Yep.

d. Fire Chief

Roy McBride: Okay. Looks like fire chief's not here. Sheriff's not here. County commissioners not here. Committee reports, planning board.

e. Sheriff

None

f. County Commissioner

None

C. Committee/Board Reports

a. Planning Board

Linda Jung: Okay, this is Linda. We have several things on the consent agenda. I just want to touch on a couple of them. We had a variance with one of ours, and it was on Rosalie Figgins. She lives at 405 First Street East. Again, it was a little complicated with the variance. There is an existing garage that's built right on the property line on the side, which we usually have a setback of eight feet. She really has no place the way that was designed to put it. And the garage was there before she moved in. So, she's set with these problems that were created by somebody else, and it's not hurting traffic in that alley. There's plenty of clearance, plenty of room for emergency vehicles to get through. So, we went ahead and approved it and to recommend to the council, and if anybody has any questions, they can sure ask me on that. And then, we also, Scott White came to us, he's representing the school, they're building the daycare. And of course, that isn't in our jurisdiction, so we referred it right to you, so that we can hear from Scott tonight. Any questions?

Roy McBride: No. Streets, Water, and Garbage. Katy?

b. Sewer, Water, and Garbage / Streets, Alleys and Sidewalks

Katy James: Katy James. There was no quorum for both the streets, water, garbage streets or sewer water and garbage, streets, alleys, and sidewalks. So, there's no minutes.

Roy McBride: Okay. Same with the sewer and water?

Katy James: Yes.

c. Parks, Trees, and Cemetery

Roy McBride: Parks, trees, and cemetery. No comment. Pool board.

d. Pool Board

Katy James: Okay, I do have that.

Roy McBride: Okay.

Katy James: Again, Katy, with the pool board minutes. We met on Monday, I'm sorry, on the 30th of May. All were in attendance. The meeting was called to order at 5:00 PM by Steve Antonoli. No guests. The minutes were approved from the May 8th meeting. Pool operations, Steve reported that one more piece of angle iron over the grate needs to be installed. Plaster on the bottom of the pool to be installed as soon as it is dry. Steve needs Kory's assistance. Power washer. Water is on. Hot water heater. Suit dryer not yet installed. Kory was not available to report on the electrical, and refrigerator is in the break room, per Steve. Status of the [inaudible 00:21:02] for the tarp, uncertain if a new one is to be purchased. Alyssa was to call about the fence. We need a piece of pipe along the top. Steve also discussed scheduling attempt to get pool up in operation. Fundraising report, we're looking to do pizza sales. And Kelley will check with the county sanitarian. The pool manager's report. Kelley reported they're almost there. Lifeguard training was scheduled for weekend lessons. Cleanup on June 10th, and she's going to be ordering concessions. Adult sessions for adult pool laps before the pool opens or after it closes. Another individual has requested to use the pool one or two days a month, 11:00 AM to noon, to accommodate disabled individuals. Suggestion was made that one hour on Sundays or over days there aren't lessons. And cost was discussed. Needs for the pool. Electrical wiring. Counter needs to be installed. Steve recommended a third person besides Steve Sacry and Brandon Kidwell. Rollers for the tarp. Divider screens. Curtains for the ladies change room. And then, Kelley provided a picture on her phone of a possible frame shade for the pool area. And one Sunday a month, they're looking at volleyball games, walking tacos, pizzas, funds to go towards the slide. There's no discussion on maintenance. Landscaping. Two bushes and a small bush are almost dead. And of course, power wash the pool. What to do with the second concession stand? Possibly see if they could use it at the baseball concession. Steve has a couple of claims he needs to turn in for a reimbursement of a 199.96 and a 159.95 for the plaster repair.

Next meeting was scheduled for tonight at 5:00 PM, but we are now scheduled for Wednesday night at 8:00 PM. And we're meeting at the pool.

Roy McBride: Thank you, Katy. Rec Complex

e. Rec Complex

Kennedy Kleinsasser: Kennedy. Like I said earlier, we are trying to put on the Frontier Days Rodeo. We are tentatively scheduled with Kale Berg out of Deer Lodge, and we are just trying to raise the funds to put that rodeo on. And hopefully, we can get there. But that's about all we discussed in the last meeting.

Shawn Hoagland: Kennedy, what's the number on that to raise?

Kennedy Kleinsasser: So, we're thinking roughly 12,000, and that would cover the event insurance, a little bit of added money, and for Kale to be here. And we are looking, Jenn and I are going to take a bartender certification class, because that'll bring our insurance way down if we have certified bartenders to serve over there. So, Jenn and I are going to do that, if anybody else is interested in doing that.

Roy McBride: Okay. Any other questions? Tiff board. Meeting is...

f. Whitehall Tax Incremental Finance District

Katy James: We meet tomorrow night.

Roy McBride: Tomorrow night. So, no report. Public comment? No public comment. Consent agenda.

VII. Public Comment

None

VIII. CONSENT AGENDA

Business Licenses / Planning Board / Pool Board / TIFF Board / Street Closures

Pat Peterson: Okay. Business licenses. LNS Partners LLC, Comb Fireworks, TNT, Mad Dog Diesel Repair LLC, Lawn Pros Montana LLC, Over the Top Tree Service LLC, Busy Bees Management LLC, Busy Bees Cleaning, Daylin Mercer, Six Gun Sally's Coffee.

Planning Board. They had Wes and Joan Mhyre on Rocky Mountain Drive. They look for a fence, they recommend approval. Ike Halford on Lucille Street. Application for a shed. They recommend approval. Brian Sacry on Whitetail, fence permit. Recommend approval. Morgan and Lucy Shaw on Legion, new structure used for equipment storage and retail services. Recommend approval with a contingency of working with public works for water, sewer, and garage services. Mary Robinson on Corbett Loop,

development permit application for a fence and shed. Recommend approval. Rosalie Figgins on East First Street, application to add existing garage, as well as a variance. Recommend approval with contingency to work with public works director on utility lines in the alley. Pool board. None. Tiff board. None. Street closures. Legion Street to alley for the Enchanted Forest Fair on June 24th, nine till five.

Roy McBride: Thank you. Any presentations?

Kennedy Kleinsasser: They need to approve it first.

Katy James: I need to approve it.

Roy McBride: Pardon?

Kennedy Kleinsasser: They have to approve...

Bill Lanes: Motion to approve.

Patricia Peterson: Second.

Roy McBride: All in favor?

Group: Aye.

Roy McBride: Sorry about that.

Kennedy Kleinsasser: That's okay.

Maxine Samuelson: I have a question about the one on the street enclosure.

Kennedy Kleinsasser: The street closure?

Maxine Samuelson: So, is that Main Street from Legion Street to the alley? Is that what that is?

Kennedy Kleinsasser: Correct. The 24th.

Roy McBride: Okay.

Kennedy Kleinsasser: Good?

Roy McBride: Good to go.

Kennedy Kleinsasser: Okay, we're good.

Roy McBride: Okay. No presentations. Unfinished business, council be termination on poultry ordinance.

IX. PRESENTATIONS

None

X. UNFINISHED BUSINESS

A. Council determination on Poultry Ordinance.

Linda Jung: This is Linda. We are still waiting for a couple people to give us their ideas of what needs to be in an ordinance that came to our meeting. So hopefully, we'll hear from them. If not, Pat, Kennedy, and I will be getting ahold of him, but we were super busy this month on everything. So, we just kind of waited to hear from him, and we haven't. And then, we'll get started on it. So, we're tabling it basically again.

Roy McBride: Okay. I guess we need a motion to table it.

Patricia Peterson: I move to table. This is Pat.

Roy McBride: Is there a second?

Linda Jung: I'll second that. This is Linda.

Bill Lanes: Can I comment?

Roy McBride: Sure can.

Bill Lanes: So, was the proposal kind of sitting at six? Is that what I've heard? Talking with some of the chicken people, we should consider bumping that up some, because some people who have chickens to lay eggs and they do that, six is pretty minimal. I'm not say suggesting it go to a hundred, but...

Katy James: Why? I have a hundred.

Bill Lanes: Yeah. Yeah. So, we might want to play with that number some, because those individuals that were at the meeting a couple months ago have explained, and I know some of them in particular, because they run a dozen chickens easy. And that's pretty common for egg growers.

Linda Jung: And in saying that, we did get four people that emailed us information, and some of that was in there, some of them agreed with six. So, I guess we just have to get together and get all of those recommendations. But the two that I'm waiting for were at our meeting, and I really feel it's important that we hear what they have to say. But I'll keep that in mind. And Pat will.

Bill Lanes: And this is Bill speaking again, so our old ordinance said three animals in general. And this is why this update is important, because obviously, three animals, a lot of people around our community are...

Pat Peterson: In violation.

Bill Lanes: In violation, and so, this has to be some specific like that.

Patricia Peterson: Yeah. And no more than a hundred pounds total. Each of my dogs [inaudible 00:29:14].

Roy McBride: Okay. There's a motion on the floor, it's been seconded. Any other discussion?

Katy James: This is Katy. I have one thing to say. I'm in agreement with Bill in regards to maybe upping the number. We do have one young resident here, and it's a program, because that person has a handicap. And so, it's beneficial for that person to have it, because it keeps them trained and keeps them active, doing their thing. And so, six is very minimal. I think that, at the very most, 12 gives them something to work with.

Roy McBride: Any other comments? If not, all in favor?

Group: Aye.

Roy McBride: Carries.

B. Council determination on Resolution 2023-8 Authorizing participation in the Montana Board of Investments Short-term Investment Pool (STIP). Exhibit A Authorizing participation in the Montana Board of Investments Short-term Investment Pool (STIP) and Authorizing the Execution and Delivery of Documents Related Thereto

Roy McBride: Item B counsel determination on resolution 2023-8, authorizing participation in the Montana Board of Investments, short-term investment

pool STIP. Exhibit A authorizing participation in the Montana Board of Investments, short term investment pool STIP, and authorizing the execution and delivery of documents related there.

Shawn Hoagland: Motion to approve.

Bill Lanes: Second, this is Bill.

Roy McBride: Discussion.

Linda Jung: This is Linda. Roy and I met with the representative from STIP. He came and visited with us. I had never heard of the program, but I hadn't been in municipalities. And my background was mainly banking, and Roy and I asked a lot of questions. We got good answers, and it's, short term. It's 24 - hour turnover. It's the best rate you can get right now, anywhere. And we wouldn't be putting all of our eggs in one basket, of course. So, it would just be certain kinds of money that we would put into that. So, all my questions were answered, plus there is a website, and you can track the rate every day, the interest rate, which is helpful.

Kennedy Kleinsasser: Yeah, and I plan to kind of keep track of that too. Just if it has a dramatic fall or whatever, we can get it out of there if we need to.

Roy McBride: We got any questions or comments? All those in favor?

Group: Aye.

Roy McBride: Motion Carries.

XI. NEW BUSINESS

A. Approval of Sam Martin to serve as the prosecutor for the Town for six (6) months starting on June 21, 2023, and ending on December 21, 2023.

Roy McBride: New business. Approval of Sam Martin to serve as prosecutor for the town for six months, starting June 21, 2023, ending December 21, 2023.

Linda Jung: I'll make a motion.

Patricia Peterson: Second.

Roy McBride: Is there discussion?

Linda Jung: Yes, Ed.

Ed Guza: Sure. Do you want me to...?

Linda Jung: Could you elaborate a little bit on that?

Ed Guza: Well, first off, let me introduce the council to Sam Martin, who's here today, dressed very spring-like appropriately, I suppose, somewhat summer. But Sam has defended cases that have come in front of the town, working with Ryan Lorenz from my office for what, a year or two years now? Couple years.

Sam Martin: Four.

Ed Guza: Four years? Wow. Time flies.

Sam Martin: Time flies when you're having fun.

Ed Guza: Having fun. And like many businesses, my business has issue with finding qualified attorneys to serve as associates. And we are extremely busy. And the prosecution side of things has taken an exorbitant amount of time to where we want to have Sam come in and do the prosecution side, where I'll still be the town attorney, handling all civil matters and have a relationship with Sam to where, if anything comes up, he can come to me. Anything with the counsel, you can come to me, you can come to Sam. I've talked to Mary about that issue. I've asked Sam to provide a monthly report to where he can say, "Here's the cases I'm working on," kind of giving general information about the type of case and the work that he's doing. And obviously, his bills will reflect that as well. So, we don't really see any real difference in what the town can expect in terms of prosecution. Sam's very qualified to take on this project, and we simply want a smooth transition. And working with Ryan, we had a conference call with Ryan and Sam last week, where we went through some of the details of a transition, and we have it worked out where Ryan will stay on as necessary with no overlap, no additional charge to the town whatsoever, but still maintained a very smooth transition, where Sam can take over. And Sam understands that, if we have a new associate who's qualified to get back into the prosecution side of things, we intend to do that. So, this is an opportunity for us to maintain the work that we do for the town, absence the prosecution, and move forward. So that's my presentation. Sam volunteered to come down here, and so, he's here also to answer any questions you may have. But that's what we are proposing for the council, and per the code, I'll add one more thing, Mary has... What's the word? It's not approved. That's up for the council. But anyway, nominated Sam for the position as the code requires, and then, that requires council approval. So that's the backstory there.

Roy McBride: Gotcha. Any other comments, questions? Sam, do you have anything you want to add?

Sam Martin: Just a little bit about myself and my firm. So, I have a pair of partners, Colin Delli Bovi and Ben Reed. Our firm, Delli Bovi, Martin, & Reed is based out of Helena. We provide, quite frankly, a lot of similar services to Mr. Guza and his firm. The provide is kind of a separate geographic region, if you will. As Ed said, I did work with the Office of Public Defender for a number of years before starting my own firm. And in doing so, I handle a handful of, actually quite a few cases, that I came out of Whitehall, Boulder, Jefferson County as a whole. But I am very familiar with the area. I'm very familiar with all the folks involved in that side of things. From a prosecutorial standpoint, I work with Montana Law Enforcement Academy fairly regularly, when it comes to their training of officers and working with

officers pretty routinely. So, from a procedural aspect and from dealing with officers and making sure that crimes are prosecuted appropriately, I think, is a very important thing to do. As Ed said, Ryan Lorenz, who's been handling the prosecution from their office for quite a long time, he and I have a very good working relationship, as opposing counsel. I don't know why that relationship would be sullied, in any capacity, with me stepping in to help now that that's an option opportunity. So, I'm grateful for it, and our firm is grateful to help out where we can.

Roy McBride: Thank you. Any other comments? No. There's a motion on the tables. Been seconded. All in favor?

Group: Aye.

Roy McBride: Motion carries.

Patricia Peterson: Impressive resume.

Linda Jung: Welcome aboard.

B. Council determination on the Settlement Agreement and Release of all Claims for the Janik vs. Town lawsuit

Roy McBride: Counsel determination on the settlement agreement and release of all claims for the Janet versus town lawsuit.

Ed Guza: Back to me.

Shawn Hoagland: Motion to approve.

Ed Guza: Sorry.

Shawn Hoagland: Second motion to approve. Second.

Linda Jung: I'll second that. Linda.

Roy McBride: Discussion.

Ed Guza: So, this is kind of a moment of celebration, if you will, because this is really the final chapter of a horribly long saga that the town has gone through, that that I've reported to the town several times. We landed on an amount that we were willing to contribute to the settlement. That amount, along with MMIA's figures, was accepted, as I reported a couple sessions ago. Now we're down to the settlement agreement, which I've reviewed. Mary's taken a look at. We've all approved from, not only the town's perspective, but counsel for the town, being Cindy Walker, who's hired by MMIA to represent the town. So, there's been a lot of eyes on what is actually somewhat of a form settlement agreement, but we've got it to where we're all comfortable with it. And as I always do with things like this, I'm never comfortable with a mayor just signing off on an agreement, regardless of the backstory. And we all know what we're talking about. It's perhaps a procedural step at this point, but I certainly want to make sure that we have the council's approval before Mary signs it. And so, that's where we are. There's nothing really new to report here, except literally, this is the last step. The check's already been

issued. We have that pending counsels, approval of the settlement, and it's over. And that's it.

Roy McBride: Any other questions? Comments?

Linda Jung: Oh, just so everybody knows, this was a lawsuit, and the settlement sum was a 100,000. 80,000 was paid by MMIA.

Ed Guza: Correct.

Linda Jung: So, the town had a bill of \$20,000.

Ed Guza: That is correct, Linda.

Roy McBride: Any other comments, questions? Motion on the table has been seconded. All in favor?

Group: Aye.

Roy McBride: Motion carries.

C. Council determination on work order from WWC Engineering to proceed with the Zoning Ordinance Project.

Roy McBride: Okay. Council determination on work order for WWC engineering to proceed with zoning ordinance project. Motion?

Patricia Peterson: I move. This is Pat.

Roy McBride: Is there a second?

Linda Jung: I'll second. Linda.

Roy McBride: Discussion.

Linda Jung: Okay, this is Linda again. Planning board needs to have our white house zoning ordinances updated and the things that they're going to be delivering with this grant and work that the company will be doing.

Jeremy Fadness is drafting and finalizing zoning ordinances, drafting and finalizing any growth policy updates, if necessary, and then, updating a zoning map in electronic format, which is really important. We need that. So, I looked everything over. I didn't see anything. Pat, did you see anything? You used to be on the board.

Patricia Peterson: Yeah. No.

Linda Jung: Okay.

Patricia Peterson: Yeah, looks good. And we worked with Jeremy before.

Linda Jung: Yes. And he'll be working with the planning board on this and Kennedy. So, I'm excited to get it done. We've put a lot of work into cleaning up our ordinances. And now, to get it finalized will be really good.

Patricia Peterson: If you want another set of eyes, I'll be willing to help.

Linda Jung: I'll keep you.

Roy McBride: Any other comments? Okay. Motion closed and seconded. All in favor?

Group: Aye.

Roy McBride: Motion carries.

Patricia Peterson: One thing I just want to add, this is Pat, one thing on this is they will be doing a new map of the town, which is critical, because once we have that done, then we can redo our wards. Because with the annexations coming in, the wards are kind of lopsided now. Or they will be. So, we're going to have to redo the awards and all that in the steps coming through this will be part of the first step in that process.

D. Council determination on Development Permit Application turned in by the Whitehall school district for their Day Care Facility.

Roy McBride: Okay. Item D, town council determination of development permit application turned in by the Whitehall School District for their daycare facility. Need a motion.

Bill Lanes: So, I'll move this. Bill.

Patricia Peterson: Second.

Roy McBride: Okay, it has been moved second. Discussion.

Linda Jung: The planning board looked it over. Scott came to our meeting. Of course, we couldn't entertain it, but I did ask him some questions as a councilman. And he's meeting the eight - foot setback. He's butting up against the public land, that's up against the residential. So, they've got that eight - foot setback, which would be my only concern not being part of our jurisdiction is that. And you're meeting that. And I just think it's great to have a daycare in our area, and I think it's going to be a great asset to the community. So, we're excited to see it. And you will be working with... Kory, I assume you already have started working with him.

Scott White: I spoke with him on the phone.

Linda Jung: Good. Okay.

Shawn Hoagland: What governing body is there? What parameters are you...? Is it state level? I don't know if there's even county that...

Maxine Samuelson: JLDC, isn't it?

Kory Klappan: Well, I have to go through state inspections.

Shawn Hoagland: Okay, so your building code is at the state level.

Kory Klappan: State inspections.

Shawn Hoagland: Okay. Yeah, that looks great.

Shawn Hoagland: Mute our setbacks and... [inaudible 00:43:34]

Roy McBride: Okay. Motion on the floor. Seconded. All in favor?

Group: Aye.

Roy McBride: Motion carries.

E. Council determination of MOU agreement with Saddle Club

Roy McBride: Council determines on MOU and agreement with Saddle Club. The motion.

Shawn Hoagland: So motioned.

Bill Lanes: Second.

Roy McBride: okay. Discussion.

Ed Guza: I was given a draft before the meeting and having some downtime, I've taken a look at it. And Bill, are you the one I can talk to about the details on this? Or is there...?

Bill Lanes: Of course, you can talk to all of us.

Ed Guza: Well, I'm not going to get into the weeds on a few things that I saw that jumped out at me. But I would say, if it's possible to table this for now and I can communicate with whomever I need to share this information and some edits to this, if Kennedy could send this to me in Word, if you have it.

Kennedy Kleinsasser: Yep.

Ed Guza: Okay, perfect. If it's sent to me in Word, I can quickly take my comments I wrote here today and red line it and shoot it back to you. Or is there an attorney, do we know, on the other side, by chance?

Kennedy Kleinsasser: I'm not sure. Bridget might be able to answer to that. Do you guys have an attorney on your side to...?

Bridget Morse: We have a counsel.

Kennedy Kleinsasser: Okay.

Bridget Morse: You can send it to me.

Kennedy Kleinsasser: Send it to you? I can do that.

Ed Guza: Okay, perfect. So that's what I would suggest at the moment.

Linda Jung: And the other thing is we really can't really entertain a motion tonight, because we need to go through the rec board also and then, counsel, before it would come back to the... And we just got this last night, late afternoon, so there hasn't been a lot of time to really go over everything.

Roy McBride: Okay. There's a motion.

Patricia Peterson: Yeah. And one thing I would like to be sure we add is a list of what is considered property. It's just a word, and it's not clear what property is being discussed.

Bill Lanes: Also, I'd like to add in some discussion with the negotiations with the Saddle Club people. We brought up last month the possibility of a buyout. So, we'd like to actually get some more details on what that could include as a possible option, which the Saddle Club informed me yesterday they were interested in that as well. So that's something we can work on for the next month to try to move that forward as well. Best to have a few options in this.

Shawn Hoagland: Do we need to amend our motion then?

Roy McBride: Yes. We need to amend your motion, Shawn.

Shawn Hoagland: So, I amend my motion and motion that we table this till the next meeting.

Roy McBride: Is there a second to the amendment?

Patricia Peterson: Second. This is Pat.

Roy McBride: Any other discussion?

Katy James: Katy.

Roy McBride: Yes, Katy?

Katy James: Just one little thought that I saw when I read through the MOU that was sent to us, it's stating in there that they can freely schedule barrel Omoxy and their barrel racing and whatnot. I'd like to see the verbiage, something about scheduling, so that there's no conflict of schedules. Okay. Does that make sense?

Ed Guza: I wrote that down actually, Katy.

Katy James: We're thinking alike.

Ed Guza: We are.

Katy James: Yes.

Roy McBride: Okay. Any other discussion? Comments? All in favor of the amended motion?

Group: Aye

Roy McBride: Motion carries. Any unscheduled matters? Motion to approve? Motion to pay bills?

XII. UNSCHEDULED MATTERS / MOTION TO PAY BILLS

Shawn Hoagland: Shawn, motion to pay bills.

Roy McBride: Second?

Patricia Peterson: I second, Pat.

Roy McBride: Okay. All in favor?

Group: Aye.

XIII. ADJOURNMENT

Roy McBride: Motion to adjourn?

Bill Lanes: Motion.

Shawn Hoagland: Shawn, second.

Roy McBride: All in favor?

Group: Aye.

Roy McBride: Thank you.